

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

TERRY DAUM,

Petitioner,

-against-

RICHARD ERCOLE, Superintendent  
GREEN HAVEN CORRECTIONAL  
FACILITY,

Respondent.

JUDGMENT  
08-CV- 00099 (JG)

**FILED**  
IN CLERKS OFFICE  
U.S. DISTRICT COURT E.D.N.Y.

★ MAR 27 2008 ★

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A Memorandum and Order of Honorable John Gleeson, United States District Judge, having been filed on March 20, 2008, dismissing the petition as time-barred; ordering that a Certificate of Appealability will not issue; certifying pursuant to 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith; and denying *in forma pauperis* status for the purposes of any appeal; it is

ORDERED and ADJUDGED that petitioner take nothing of the respondent; that the petition is dismissed as time-barred; that a Certificate of Appealability will not issue; that pursuant to 28 U.S.C. § 1915(a)(3) any appeal from this order would not be taken in good faith; and that *in forma pauperis* status is denied for the purposes of any appeal.

Dated: Brooklyn, New York  
March 26, 2008

s/Robert C. Heinemann  
ROBERT C. HEINEMANN  
Clerk of Court